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09/726,269	11/30/2000	Rabindranath Dutta	AUS920000774US1	5231

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EXAMINER

CHUONG, TRUC T

ART UNIT	PAPER NUMBER
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2174

DATE MAILED: 10/22/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

4

Office Action Summary

Application No.

09/726,269

Applicant(s)

DUTTA, RABINDRANATH

Examiner

Truc T Chuong

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 4-27 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 4-27 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). ____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____ 6) ☐ Other: ____

DETAILED ACTION

1. This communication is responsive to Amendment A, filed 07/23/03.
2. Claims 4-27 are pending in this application. Claims 4, 9, 13, 23, and 27 are independent claims. In Amendment A, claims 1-3 are cancelled. Claims 23-27 are new claims. This action is made final.
3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior office action.

Claim Rejections - 35 USC § 102

4. Claims 4-17, 21, and 23-27 are rejected under 35 U.S.C. 102 (e) as being anticipated by Klimczak et al. (U.S. Patent No. 6,513,111 B2).

As to claim 4, Klimczak teaches in a data processing system, a method comprising the steps of:

in an application program, determining control GUI objects and a content object (software application, col. 1 lines 44-50);

determining if a user has set a display option flag (Action ID of figs. 7-8, enable or disable for each user, col. 6 lines 35-39) indicating a preference for either a conventional screen object to be displayed comprising a display of the control GUI objects and the content object or an unconventional screen object to be displayed comprising a display of the content object but not any of the control GUI objects (set up the software, col. 3 lines 2-48); and

determining the screen object to include the content object but not any of the control GUI objects as a function of the display option flag having a setting indicating a user preference for display of the content object without any of the control GUI objects (Klimczak's system has the ability to setup permission for each user (col. 1 lines 60-63) so that the user is given certain "action items" to use or none of all).

As to claim 5, Klimczak teaches the method as recited in claim 4, further comprising the step of displaying the screen object on a display device of the data processing system (Display, col. 3 lines 42-44).

As to claim 6, this is a combination of claims 4 and 5. Note the rejections of claims 4 and 5 above.

As to claim 9, this is a computer program product claim of system claim 4. Note the rejection of claim 4 above.

As to claim 10, this is similar in scope to claim 9 above except the option flag can be reset. Klimczak shows reset in form of "set with Action Default Value" (col. 5 lines 55-59).

As to claim 13, Klimczak teaches data processing system comprising:

a processor, a display coupled to the processor (Computer System, col. 3 line 37);

a memory storing an application program (RAM, col. 3 lines 51-57) further comprising:

a screen object that is then displayed on the display, a content object, a control GUI object (action item, col. 1 lines 40-56);

a display option flag (see claim 4 above); and

a screen state changing program (display colors, col. 1 lines 62-67 and figs. 7-8) for determining whether the screen object will include only the content object without any control GUI object as a function of the display option flag (see claim 4 above).

As to claims 14 and 15, they are similar in scope to claim 4 above; therefore, rejected under similar rationale.

As to claim 16, Klimczak teaches the system as recited in claim 15, wherein when the display option flag is reset for a preference that a conventional screen be displayed on the display whereby the content and the control GUIs are displayed, then the screen state changing program will determine that the screen object will include the content object and the control GUI object, any of the control object displaced by the control GUI object will be stored (see claim 4 above) into an excess content object (Klimczak indirectly shows that GUI object can be stored into an excess content object because Klimczak's physical mediums for storing information are in many different forms throughout the network (col. 2 lines 4-10, col. 3 lines 66-67 and col. 4 lines 1-11)).

As to claims 7 and 11, they are similar in scope to claim 16 above; therefore, rejected under similar rationale.

As to claim 17, Klimczak teaches the system as recited in claim 16 wherein the display option flag is reset for the preference that the conventional screen be displayed by receipt of a user selection of a hardware button on the system (configure a button, col. 12 lines 20-29).

As to claim 8, Klimczak inherently teaches the method as recited in claim 7 wherein if the display option flag is set to indicate a preference for the unconventional screen object then

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the control GUI objects are eliminated from the screen object and the excess content object is included in the screen object because Klimczak's Configuration Stage is used to set action values for each user for each action item (col. 6 lines 24-26, and col. 6 lines 24-50); interface is provided to import the action information generated by each of the modules (col. 6 lines 28-29), and it is enough to utilize control of application display colors as well as other action items in a constructive manner (col. 6 lines 38-42).

As to claim 12, this is a program product claim of method claim 8. Note the rejection of claim 8 above.

As to claim 21, Klimczak teaches the system as recited in claim 14, wherein the data processing system is a desktop computer (workstation, col. 3 line 32).

As to claim 23, this is an apparatus claim of system claim 13. Note the rejection of claim 13 above.

As to claim 24, this is an apparatus claim of system claim 14. Note the rejection of claim 14 above.

As to claim 25, Klimczak teaches the apparatus as recited in claim 23, further comprising a hardware input in communication with the screen object (configure a button, col. 12 lines 20-29) that permits selection by the user to display the control GUI objects when they have previously not been displayed with the content object (set up the software, col. 3 lines 2-48).

As to claim 26, Klimczak teaches the apparatus of claim 23 wherein control GUI objects include displayed objects permitting the user access to data or databases (User profile database, col. 4 lines 12-31 and col. 6 lines 24-50).

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As to claim 27, Klimczak teaches a method of using a software application comprising the steps of:

displaying a content object on a display of a data processing system apparatus, the content object displaying content associated with the software application (col. 1 lines 40-56);

displaying one or more control GUI objects on the display concurrently with the displayed content object, the one or more control GUI objects providing an interface to permit a user of the apparatus to manipulate the content (col. 1 lines 40-56, and Klimczak's system has the ability to setup permission for each user (col. 1 lines 60-63) so that the user is given certain "action items" to use or none of all):

receiving an input as a result of a hardware selection by the user, wherein the input operates to remove all of the one or more control GUI objects from being displayed on the display concurrently with the displayed content object so that there are no control GUI objects being displayed, and so that display pixels that had previously been displaying the one or more control GUI objects now display previously undisplayed content object to add to the already displayed content object (col. 3 lines 2-48); and

receiving another input as a result of a hardware selection by the user, wherein the another input operates to again display the one or more control GUI objects concurrently with the content object in a manner so that the previously undisplayed content object is removed from being displayed (see claim 25 above).

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Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 18, 19, 20, and 22, are rejected under 35 U.S.C. 103(a) as being unpatentable over Klimczak et al. (U.S. Patent No. 6,513,111 B2) in view of Ditzik (U.S. Patent No. 6,064,373).

As to claim 19, Klimczak teaches the system as recited in claim 14 but does not show the data processing system is a PDA. Ditzik clearly teaches on his system using PDA, several pocket computers, and hand held tablet computers (col. 6 line 67 and col. 7 lines 1-2). It would have been obvious at the time of the invention, a person with ordinary skill in the art would use PDA or other hand held devices in Klimczak's application to provide a portable mobile display-tablet operation to the user (col. 7 lines 37-38).

As to claim 18, because of the capability of using PDA and other hand held devices, claim 18 can be rejected under similar rationale to claim 19 above.

As to claims 20 and 22, they are similar in scope to claim 19 above; therefore, rejected under similar rationale.

Response to Arguments

7. Applicant's arguments filed 07/23/03 have been fully considered but they are not persuasive.

Applicants argued the following:

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- a. Klimczak does not recite that the content object is displayed without any control GUI objects or all such features are removed.
- b. Klimczak does not disclose the data processing system which is implemented to employ memory for storing data.
- c. Klimczak does not teach that there is an excess content object set up within the software and that excess content to be covered by the control GUI objects may be saved in such an excess content object when the control GUI objects are added to the screen object.
- d. There is no motivation to combine Ditzik et al. with Klimczak et al.

The Examiner disagrees for the following reasons:

Per (a), Klimczak teaches the system has the ability to setup permission for each user (col. 1 lines 60-63) so that the user is given certain "action items" to use or none of all.

Per (b), Klimczak clearly teaches that the system is implemented to store data because Klimczak's physical mediums for storing information are in many different forms throughout the network (col. 2 lines 4-10, col. 3 lines 66-67 and col. 4 lines 1-11).

Per (c), Klimczak shows that there is an excess content object set up within the software (set up the software, col. 3 lines 2-48), Klimczak's Configuration Stage is also used to set action values for each user for each action item (col. 6 lines 24-26, and col. 6 lines 24-50); the GUI is provided to import the action information generated by each of the modules (col. 6 lines 28-29), and it is enough to utilize control of application display colors as well as other action items in a constructive manner (col. 6 lines 38-42).

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Per (d), In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, it is well known in the art that PDAs and other hand held devices are also computers with all functions and features as a normal PC; therefore, it would have been obvious at the time of the invention that using different devices including PDAs as the portable mobile control-display devices to provide more flexibility and convenience for the users.

Conclusion

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

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9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Truc T Chuong whose telephone number is 703-305-5753. The examiner can normally be reached on M-F 8:30 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine L. Kincaid can be reached on 703-308-0640. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

Truc T. Chuong

10/15/03

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